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REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)
1879 CON II (203-2045 CON II)

In re Application of: David C. Racenet, et al.

Application No.: 10/670,032

Filed: September 24, 2003

For: TROCAR SEAL SYSTEM

The owner*, Tyco Healthcare Group LP, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,702,787 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney or agent of record. Reg. No. 36,920

Signature

May 3, 2006

Date

Joseph W. Schmidt

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